



FILED

ALAMEDA COUNTY

AUG - 2 2005

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ALAMEDA

CLERK OF THE SUPERIOR COURT

By Wesley Mangiste Deputy

Case No.: C-835687

Coordination Proceeding  
Special Title (Rule 1550(b))

**CELLPHONE TERMINATION FEE CASES**

**ORDER GRANTING PARTIAL RELIEF  
FROM PROTECTIVE ORDER**

DATE: August 2, 2005

TIME: 9:00 am

DEPT: 22

The Plaintiffs' motion for partial relief from the protective order came on regularly for hearing on August 2, 2005, in Department 22, the Honorable Ronald M. Sabraw, presiding. Plaintiffs and Defendants appeared at the hearing through counsel of record.

IT IS HEREBY ORDERED that Plaintiffs' motion is GRANTED.

Plaintiffs may submit to the FCC only those documents identified by subject and Bates number on pages 1 and 2 of Exhibit A of Plaintiff's Supplemental Appendix, together with Defendants' responses to contention interrogatories as well as deposition transcripts identified as exhibits E, F, G, and H of Plaintiffs' original Appendix in Support of Motion for Limited Relief from Protective Order.

All documents identified as "confidential" by Defendant in this action that Plaintiffs submit to the FCC and all comments that describe the details of confidential

1 documents must (1) be filed in paper form and not electronically; (2) be accompanied by  
2 a cover letter that substantially conforms to that included in Defendants' opposition; and  
3 (3) be stamped on each page with a legend substantially conforming to that included in  
4 Defendants' opposition.

5 Plaintiffs must also make the appropriate motions and/or requests at the FCC  
6 asking that the confidential documents be protected at the FCC.  
7

8 The Court notes that at the FCC the Plaintiffs may be limited to stating that they  
9 are asking the FCC to treat the documents as confidential because in the California state  
10 court action the Defendants designated the documents as confidential. If the FCC  
11 requires a factual showing that any given document is truly confidential, then it may be  
12 appropriate to place that burden on the Defendant that originally designated the document  
13 as confidential.  
14

15 The Court has considered Defendant Sprint's objections to the Plaintiffs'  
16 designation of certain documents after this Court's deadline. Despite the tardiness of that  
17 designation, the Court is inclined to permit the Plaintiffs broad latitude in submitting a  
18 record for the FCC's consideration. Sprint's objections are therefore overruled, and  
19 Plaintiffs' motion is GRANTED as to those additional documents, subject to the  
20 conditions described above.  
21

22 The Court has returned to Plaintiffs all original documents submitted in support of  
23 this motion.  
24

25  
26 Dated

8/2/05

  
Judge of the Superior Court